

William M. Audet
(Cal. State Bar No. 117456)
waudet@audetlaw.com
Michael McShane
(Cal. State Bar No. 127944)
mmcshane@audetlaw.com
Adel A. Nadji
(Cal. State Bar No. 232599)
anadji@audetlaw.com
AUDET & PARTNERS, LLP
221 Main Street, Suite 1460
San Francisco, CA 94105
Tel: 415-568-2555
Fax: 415-568-2556

Counsel for Movant the Sharenow Group

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

IN RE LUMINENT MORTGAGE CAPITAL,
INC., SECURITIES

No. C-07-04073-PJH

CLASS ACTION

This Document Relates To:

ALL ACTIONS

**NOTICE OF WITHDRAWAL OF
OCTOBER 17, 2007 MOTION BY
SHARENOW GROUP FOR
APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF
THEIR SELECTION OF LEAD
COUNSEL**

Date: November 21, 2007
Time: 9:00 a.m.
Judge: Honorable Phyllis J. Hamilton
Courtroom: 3, 17th Floor

1 TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 On October 17, 2007, Plaintiff Joel Sharenow, Bradley Burns and Rajiv Kumar Prasad
3 ("Plaintiffs") filed a Motion to be Appointed Lead Plaintiff and for Approval of Lead
4 Plaintiff's Selection of Lead Counsel: *Joseph Leone, et al. v. Moore, et al.*, Action No. 07-4073
5 Plaintiffs hereby withdraw their Motion to be Appointed Lead Plaintiff and for Approval of
6 Lead Plaintiffs Selection of Lead Counsel filed in the above-referenced action.

7 However, if the Southern Group is not appointed as lead plaintiffs, or if they are unable
8 to complete their duties as lead plaintiffs and/or representatives of the putative class, Plaintiffs
9 request this Court reconsider his motion for appointment as lead plaintiff and approval of his
10 selection of lead counsel as he is the individual investor with "the largest financial interest in
11 the relief sought by the class" of those persons who sought to be appointed lead plaintiffs. See
12 15 U.S.C. §78u-4(a)(3)(B)(iii)(I)(bb).

13 Dated: November 20, 2007

14 **AUDET & PARTNERS, LLP**

15 By: /s/Adel A. Nadji
16 Adel A. Nadji
17 (Cal. State Bar No. 232599)
18 anadji@audetlaw.com

19 William M. Audet
20 Michael McShane
21 Adel A. Nadji
22 221 Main Street, Suite 1460
23 San Francisco, CA 94105
24 Tel: 415-568-2555
25 Fax: 415-568-2556

26 Mark C. Gardy
27 GARDY & NOTIS, LLP
28 440 Sylvan Avenue, Suite 110
Englewood Cliffs, NJ 07632

Nadeem Faruqi
FARUQI & FARUQI
369 Lexington Ave, 10th Floor
New York, NY 10017

PROOF of SERVICE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

I am employed in the County of San Francisco, State of California; my business address is 221 Main Street, Suite 1460, San Francisco, California 94105. I am over the age of 18 and not a party to the within action. On this date I served the following documents:

**NOTICE OF WITHDRAWAL OF OCTOBER 17, 2007 MOTION BY SHARENOW
GROUP FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF THEIR
SELECTION OF LEAD COUNSEL**

on the parties shown below:



(BY MAIL) I am readily familiar with the firm's practice for the processing of mail; on this date, the above-referenced documents were placed for collection and delivery by the U.S. Postal Service following ordinary business practices.

Joseph J. Tabacco, Jr.
Christopher T. Heffelfinger
Julie J. Bai
**BERMAN DEVALERIO
PEASETABACCO BURT &
PUCILLO**
425 California Street, Suite 2100
San Francisco, CA 94104

Sherrie R. Savett
Arthur Stock
Jeffrey L. Osterwise
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103

Nadeem Faruqi
Shane Rowley
Richard Schwartz
FARUQI & FARUQI
369 Lexington Ave, 10th Floor
New York, NY 10017

Mark C. Gardy
GARDY & NOTIS, LLP
440 Sylvan Avenue, Suite 110
Englewood Cliffs, NJ 07632

Patrice L. Bishop
STULL, STULL & BRODY
10940 Wilshire Boulevard, Suite 2300
Los Angeles, CA 90024

Jules Brody
STULL, STULL & BRODY
6 East 45th Street
New York, NY 10017

1 Jeffrey S. Abraham
2 Lawrence D. Levit
3 **ABRAHAM FRUCHTER &**
4 **TWERSKY LLP**
5 One Penn Plaza, Suite 2805
6 New York, NY 10119

Darren J. Robbins
David C. Walton
Catherine J. Kowalewski
COUGHLIN STOIA GELLER RUDMAN &
ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101

7 Shawn A. Williams
8 **COUGHLIN STOIA GELLER**
9 **RUDMAN &**
10 **ROBBINS LLP**
11 100 Pine Street Suite 2600
12 San Francisco, CA 94111

Lawrence Timothy Fisher
Alan R Plutzik
SCHIFFRIN BARROWAY TOPAZ &
KESSLER LLP
2125 Oak Grove Road, Suite 120
Walnut Creek, CA 94598

13 ☒ (BY ELECTRONIC FILING) On this date I provided the documents(s) listed above
14 electronically through the Court's electronic filing service provider pursuant to the
15 instructions on that website.

16 **Richard Bemporad**
rbemporad@lowey.com

Alan Roth Plutzik
aplutzik@bramsonplutzik.com

17 **Patrice L. Bishop**
18 service@ssbla.com

Laurence M. Rosen
lrosen@rosenlegal.com
larry.rosen@earthlink.net

19 **Richard W. Cohen**
20 rcohen@lowey.com

Shane Rowley
srowley@faruqilaw.com

21 **Jeanne D'Esposito**
jdesposito@lowey.com

Michael Lane Rugen
Michael.Rugen@hellerehrman.com
Joshua.Hill@hellerehrman.com
thom.berninzoni@hellerehrman.com
SF-DocCal@hewm.com

24 **Nadeem Faruqi**
25 nfaruqi@faruqilaw.com

Joseph J. Tabacco , Jr
jtabacco@bermanesq.com
ysoboleva@bermanesq.com

26 **Michael M. Goldberg**
27 info@glancylaw.com

Tricia Lynn McCormick
triciam@csgrr.com
e_file_sf@csgrr.com
e_file_sd@csgrr.com

1 **David C. Harrison**
dharrison@ldbs.com

Nicole Catherine Lavallee
nlavallee@bermanesq.com
ysoboleva@bermanesq.com

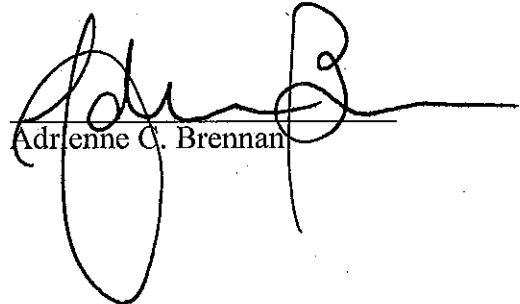
2 **Mark Irving Labaton**
mlabaton@kreindler.com
3 wkurtz@kreindler.com

4
5 ☐ (BY PERSONAL SERVICE) I caused the above documents to be delivered by hand
6 pursuant to CCP § 1011.

7 ☒ Federal: I declare that I am employed in the office of a member of the bar of this court at
8 whose direction the service was made.

9 I declare under penalty of perjury under the laws of the State of California that the above
10 is true and correct.

11 Executed on this 20th day of October, 2007 at San Francisco, California.

12
13 
14 Adrienne C. Brennan
15
16
17
18
19
20
21
22
23
24
25
26
27
28